

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY'S ECONOMIC DEVELOPMENT POLICY RELATED TO ECONOMIC DEVELOPMENT INCENTIVES FOR PRIVATE, LARGE SCALE MIXED USE PROJECTS THAT INCLUDE A RETAIL COMPONENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- a. The City has economic development incentives available, under the authority of Texas Local Government Code Chapter 380 and the Texas Tax Code Chapter 311, for different types of projects, for both prospective individual firms and for large scale mixed use projects.
- b. The city council adopted Resolution No. 20030612-015, which directed the city manager to (1) implement certain economic development policies and initiatives administratively; (2) initiate certain economic development policies, initiatives, and code amendments and return to the city council for review and approval as necessary; and (3) further develop the process and criteria and return to council for discussion at a council work session and subsequent approval. The resolution also approved in concept an evaluation process and criteria for the evaluation of projects and/or firms relocating to or expanding in Austin's Desired Development Zone.
- c. The City has enjoyed internationally recognized success in economic development by offering incentives to individual firms, which has attracted companies to locate or expand manufacturing and other facilities in Austin, and by using a project-based model, intended to induce projects that met the standards of high density urban planning with a mix of housing, including affordable housing, retail and/or employment centers.
- d. The city council adopted Resolution No. 20071206-049, which revised certain aspects of the City's economic development programs and eliminated the use of economic development incentives for large scale mixed use projects as an element of the City's economic development programs. The city council also adopted Resolution No. 20081218-074, which directed the city manager to prepare an ordinance for council action to remove the option to use economic development incentives for large scale mixed use projects that include a retail component, and to provide for third party compliance review for existing and future economic development agreements.

PART 2. The City of Austin's Economic Development Policy is amended to eliminate economic development incentives for private, large scale mixed use projects that include a retail component.

PART 3. Compliance review for future and existing economic development agreements will be verified by an independent party and the results of that independent review will be made available for public inspection.

PART 4. This ordinance takes effect on March 16, 2009.

PASSED AND APPROVED

_____, 2009 §
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 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk